

**UNITED STATES DISTRICT COURT SOUTHERN
DISTRICT OF NEW YORK**

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Shiqiang Gao, *on his own behalf and on behalf of others* :
similarly situated, and Jianmin Peng, :

Plaintiffs, :

-against- :

Umi Sushi, Inc. et al., :

Defendants. :
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1:18-cv-6439-ALC-SN

ORDER TO STRIKE

AND

RENDER DEFAULT JUDGMENT

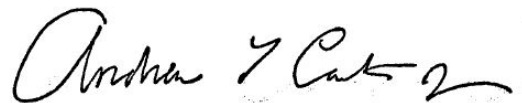
ANDREW L. CARTER, JR., District Judge:

On August 23, 2021, this Court denied Plaintiffs' request for a pre-motion conference in connection with their Motion to Strike Defendants' (Umi Sushi, Inc. and Luo Kun Zheng) Answer but granted Plaintiffs leave to file that motion. ECF No. 100. The Court also set a briefing schedule for the parties. *Id.* In accordance with the briefing schedule, Plaintiffs filed their motion on September 13, 2021. ECF Nos. 101-103. Defendant's opposition was due September 27, 2021. ECF No. 100. To date, Defendants have not responded to, opposed, or otherwise requested an extension of time to respond to or oppose, this motion. On October 5, 2021, the Court issued an Order to Show Cause to Defendants. ECF No. 105. To date, Defendants have not responded to the Court's Order to Show Cause, nor have Defendants requested an extension to do so.

Thus, Plaintiffs' Motion to Strike at ECF No. 101 is **GRANTED**. Accordingly, the Clerk of Court is respectfully instructed to strike Defendants' Answer at ECF No. 13 and enter a judgment of default against Defendants Umi Sushi, Inc. d/b/a Umi Sushi and Luo Kun Zheng. Plaintiffs are directed to submit an assessment of their damages claims, not to exceed 10 pages, by June 24, 2022. Plaintiffs should review the Chambers' Individual Practices on submission of damages in a motion for default.

SO ORDERED.

Dated: June 10, 2022
New York, New York



ANDREW L. CARTER, JR.
United States District Judge